

AMENDED IN SENATE APRIL 21, 2009

**SENATE BILL**

**No. 221**

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**Introduced by Senator Walters**

February 23, 2009

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An act to amend Section 1247.9 of the Business and Professions Code, and to repeal Chapter 11 (commencing with Section 1794.01) of Division 2 of the Health and Safety Code, relating to home dialysis agencies.

LEGISLATIVE COUNSEL'S DIGEST

SB 221, as amended, Walters. ~~home~~ Home dialysis agencies.

Existing law provides for the licensing and regulation of home dialysis agencies by the State Department of Public Health.

This bill would repeal these provisions *and make a conforming change*.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature finds and declares that the
- 2 provisions of Chapter 11 (commencing with Section 1794.01) of
- 3 Division 2 of the Health and Safety Code relating to home dialysis
- 4 agencies have never been implemented, and will not be
- 5 implemented due to existing funding constraints. Allowing these
- 6 provisions to remain in the code has created confusion and
- 7 misunderstandings with respect to dialysis services provided in
- 8 skilled nursing facilities. It is necessary to repeal these provisions
- 9 to avoid continued confusion and misunderstandings.

1     *SEC. 2. Section 1247.9 of the Business and Professions Code*  
2     *is amended to read:*

3     1247.9. No person or entity shall provide chronic dialysis  
4     services to patients in this state unless the services are provided  
5     under the direction of a chronic dialysis clinic, licensed pursuant  
6     to Section 1204 of the Health and Safety Code, ~~a home dialysis~~  
7     ~~agency licensed pursuant to Chapter 11 (commencing with Section~~  
8     ~~1794.01) of Division 2 of the Health and Safety Code,~~ or a general  
9     acute care hospital, licensed pursuant to Section 1250 of the Health  
10    and Safety Code.

11    ~~SEC. 2.~~

12    *SEC. 3.* Chapter 11 (commencing with Section 1794.01) of  
13    Division 2 of the Health and Safety Code is repealed.